



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Jack Kennedy, Regulatory Project Manager

Public Notice Date: January 27, 2006
Expiration Date: February 27, 2006
Reference: 200501182
Name: WSDOT

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT: Washington State Department of Transportation
Washington State Ferries
2901 Third Avenue
Seattle, Washington 98121
ATTN: Burt Miller
Telephone: (206) 515-3756
e-mail millebu@wsdot.wa.gov

AGENT: Gisele Sassen
Anchor Environmental
1423 Third Avenue, #300
Seattle, Washington 98101
Telephone: (206) 287-9130
e-mail gsassen@anchorenv.com

LOCATION: In Eagle Harbor, at Bainbridge Island, Washington

WORK: Widen the over-water portion of the Bainbridge Island ferry terminal. A somewhat triangular shaped pier addition about 400 feet long and 43 to 166 feet wide, supported by up to 110 steel piles, would be added to the over-water portion of the existing ferry terminal. The trestle structure itself would consist of pre-stressed concrete deck panels supported by pre-cast and cast-in-place concrete pile caps.

The new structure would have an over-water area of 29,950 square feet, and have another 9,280 square feet over uplands.

PURPOSE: Increase vehicle holding capacity and improve loading and unloading operations. This proposal would increase the ferry terminal's vehicle holding capacity from the current 200 vehicles to 330 vehicles.

MITIGATION: To provide compensatory mitigation for the environmental consequences of placing a structure over 39,230 square feet of nearshore buffer and an intertidal and shallow subtidal marine area, the Washington State Ferries have selected a former wetland and residential lot fronting Eagle Harbor about 2400 feet northeast from the ferry terminal. The site consists mainly of a degraded freshwater wetland compromised by imported fill material and invasive vegetation, and an eroded beach with remnants of a failed 120-foot long bulkhead.

The fill, invasive vegetation, and bulkhead remnants would be removed, and wetland conditions would be reestablished. The site would be graded and subject to selected planting with native vegetation. Goals of the mitigation plan are as follows:

- Restore the existing freshwater wetland and beach to sustainable condition
- Restore the diversity of native plant communities based on site conditions and an adjacent reference site
- Enhance existing buffers to the greatest extent possible
- Provide habitat structure for macrofauna
- Manage water levels
- Maintain existing pedestrian connections within the Irene Place right-of-way

The mitigation planting and grading plan comprises page 5 of the attached drawings, and is more fully explained in a document entitled *Bainbridge Island Ferry Terminal Dock Widening and Elevated Walkway Improvement Projects Irene Mitigation Revised Mitigation Plan*, dated March 2005 and prepared by Libby Smith of Anchor Environmental, LLC. The document is available for perusal at the U.S. Army Corps of Engineers' regulatory office in Seattle, Washington, and is available upon request from the project's agent designated on the previous page.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. Chinook salmon, killer whale, Steller sea lion, bull trout, Bald eagle, and Marbled murrelet, all listed as threatened in the State of Washington, and humpback whale and leatherback sea turtle, listed as endangered, may occur in the proposed project area. For Chinook salmon and bull trout, critical habitat has been designated.

The Federal Highway Administration (FHWA), as the lead agency for ESA consultation, is presently consulting with the NMFS and the USFWS as required under Section 7 of the ESA.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact approximately 1 acre of EFH for Pacific salmon, Groundfish, and Coastal Pelagic Species in the project area.

The FHWA, as the lead agency for a determination regarding EFH, will consult with the National Marine Fisheries Services regarding EFH, if necessary.

CULTURAL RESOURCES: The FHWA, as the lead agency for determining compliance with Section 106 of the National Historic Preservation Act, will consult with the State Historic Preservation Office as appropriate. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which

reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States. The only portions of this proposal that comprise a discharge of dredged or fill material is a small amount of "keyed-in" fill at the toe of a "Mechanically Stabilized Earth" abutment that approaches the line of Mean Higher High Water and can be expected to migrate waterward of that line (see page 4 of the attached drawings), and beach grading and other restoration actions at the Irene Place mitigation site.

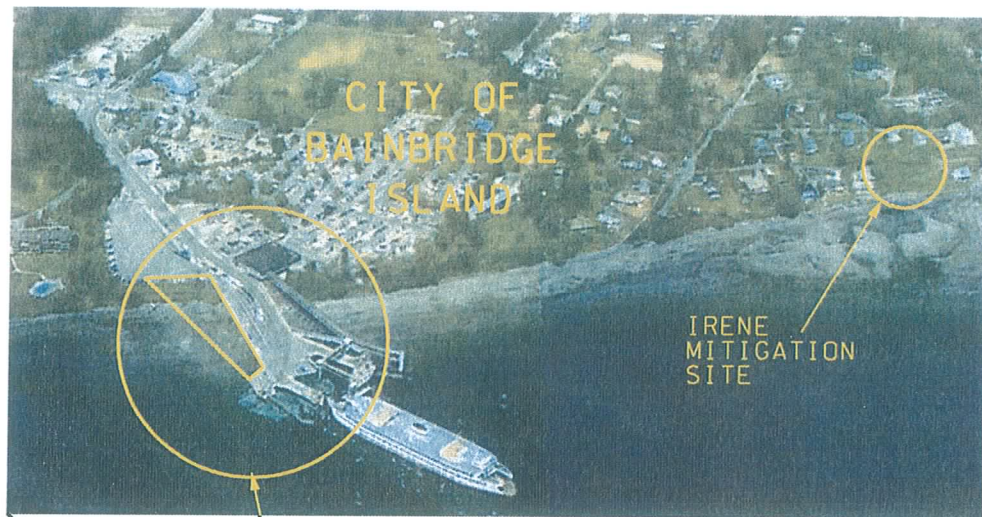
ADDITIONAL EVALUATION: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal is the subject of Shorelines Substantial Development Permit No. SSDP-10-31-94-1, which was issued by the City of Bainbridge Island on January 13, 2004.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to jack.kennedy@nws02.usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. To ensure proper consideration, both conventional mail and e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Washington State Department of Transportation, 200501182

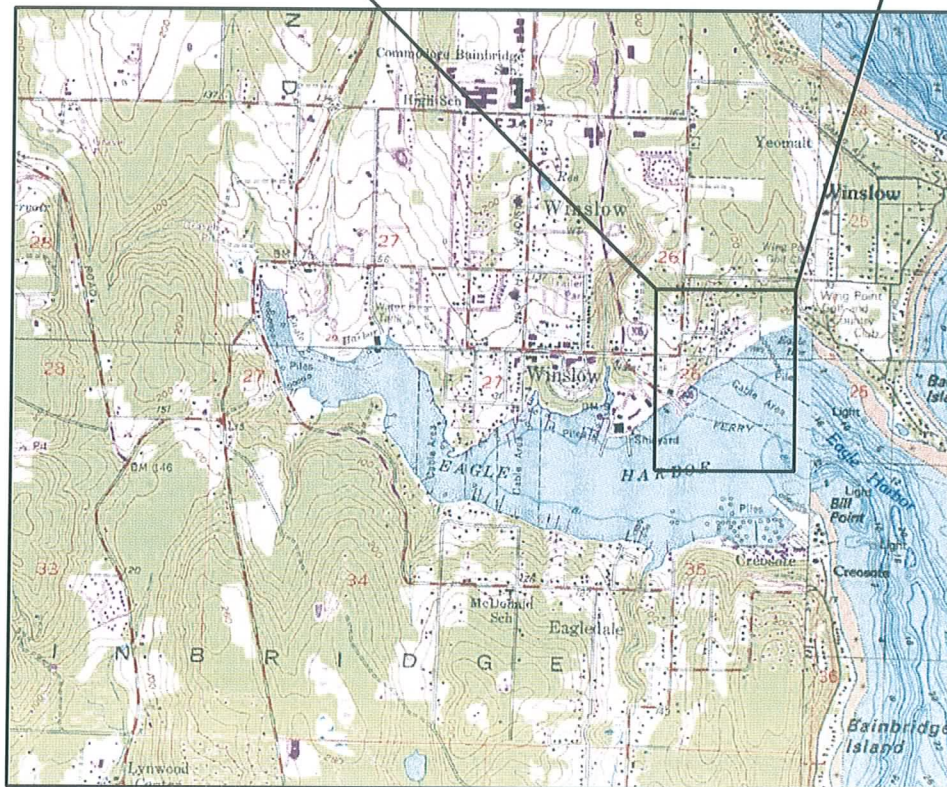
Encl
Drawings (5)



BAINBRIDGE ISLAND
FERRY TERMINAL
TRESTLE WIDENING
PROJECT SITE

IRENE
MITIGATION
SITE

DIRECTIONS TO PROJECT SITE:
FOLLOW SR 305 FROM SR 3 ACROSS AGATE
PASS BRIDGE AND BAINBRIDGE ISLAND TO
THE TERMINUS AT WINSLOW.

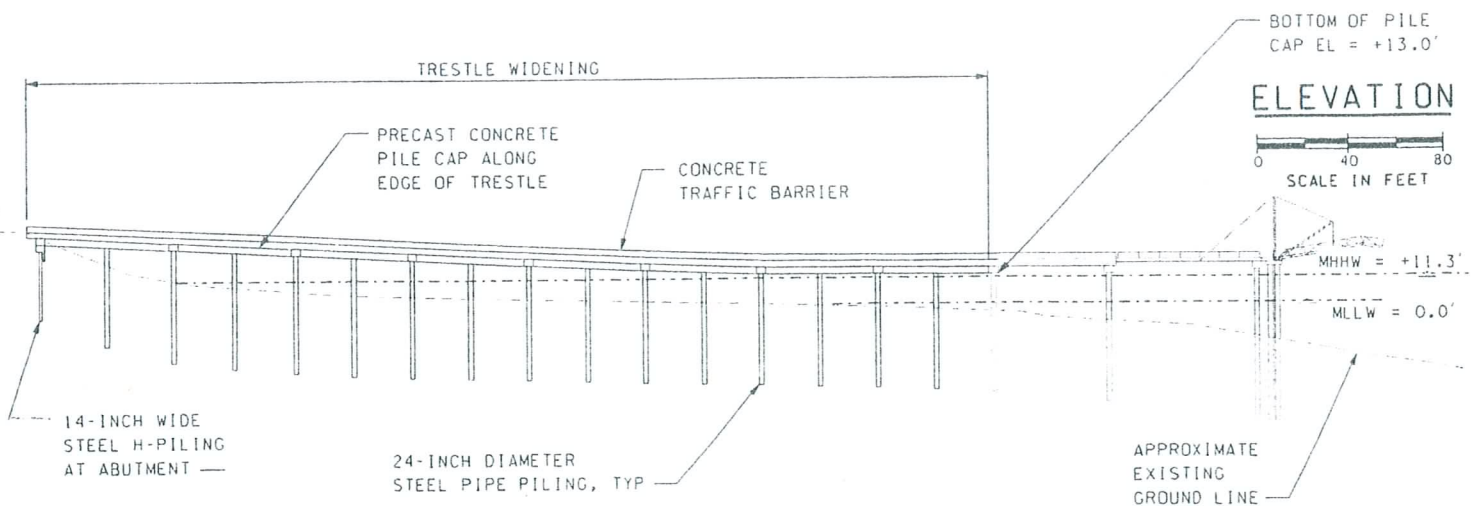
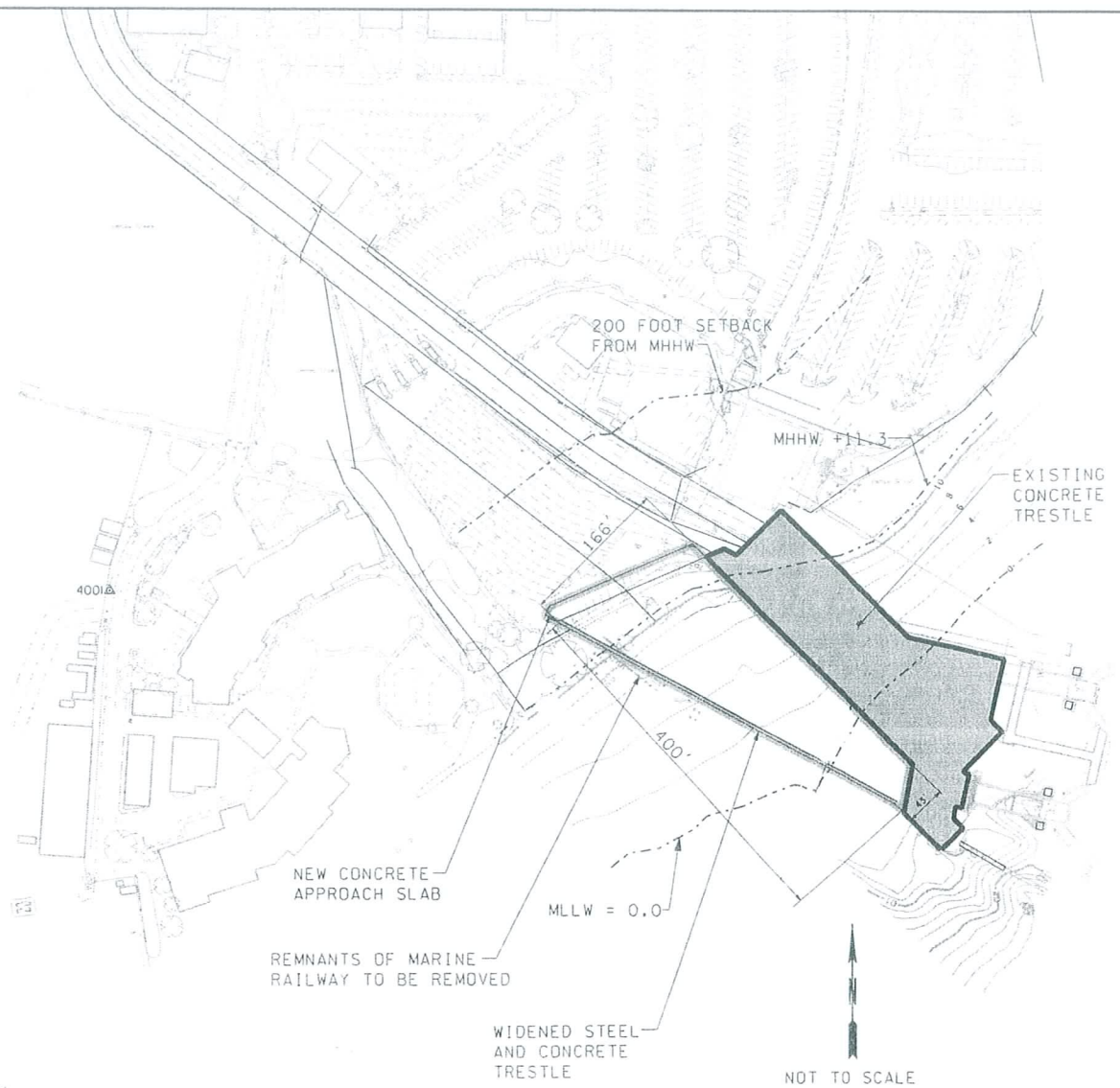


Purpose: Increase vehicle holding
capacity and improve loading and
unloading operations
Datum: MLLW = 0.0 (NOS)
Adjacent Property Owners:
West- Eagle Harbor Condo Assn
East- Bainbridge Condo Assn

BAINBRIDGE ISLAND
FERRY TERMINAL
TRESTLE WIDENING
AND MITIGATION SITE

VICINITY MAP
200501182

Proposed: Construct over-water
ferry pier addition, 200501182
In: Eagle Harbor
At: Bainbridge Island
Kitsap County, Washington
Applicant: WSDOT/WSF
Page 1 of 5 Date: 1/11/2006

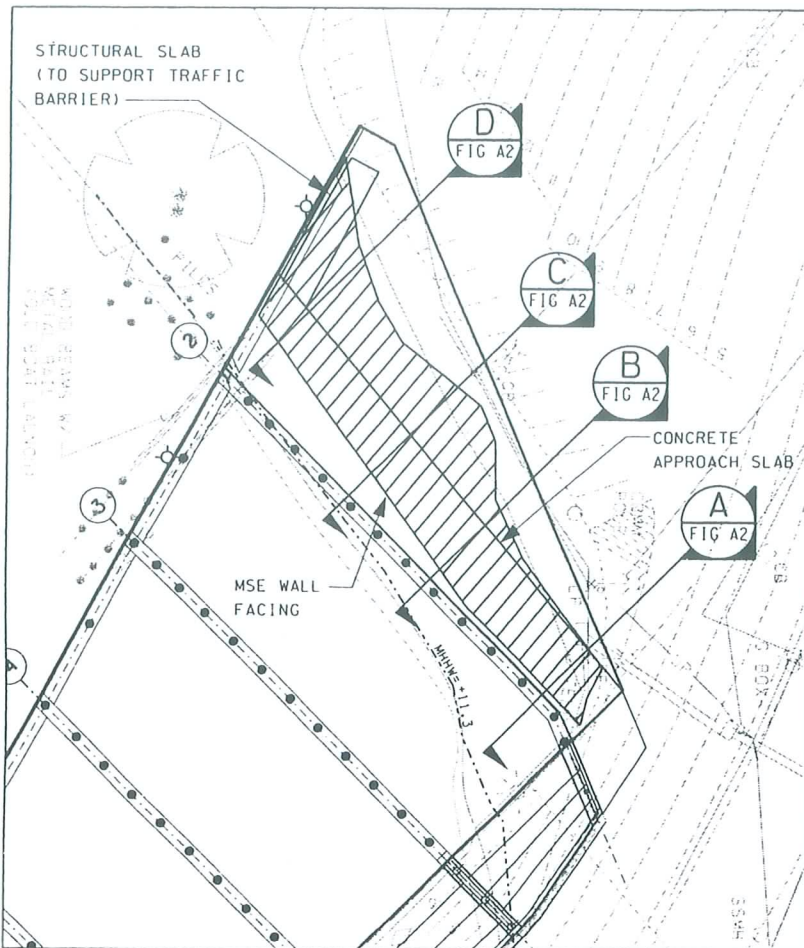


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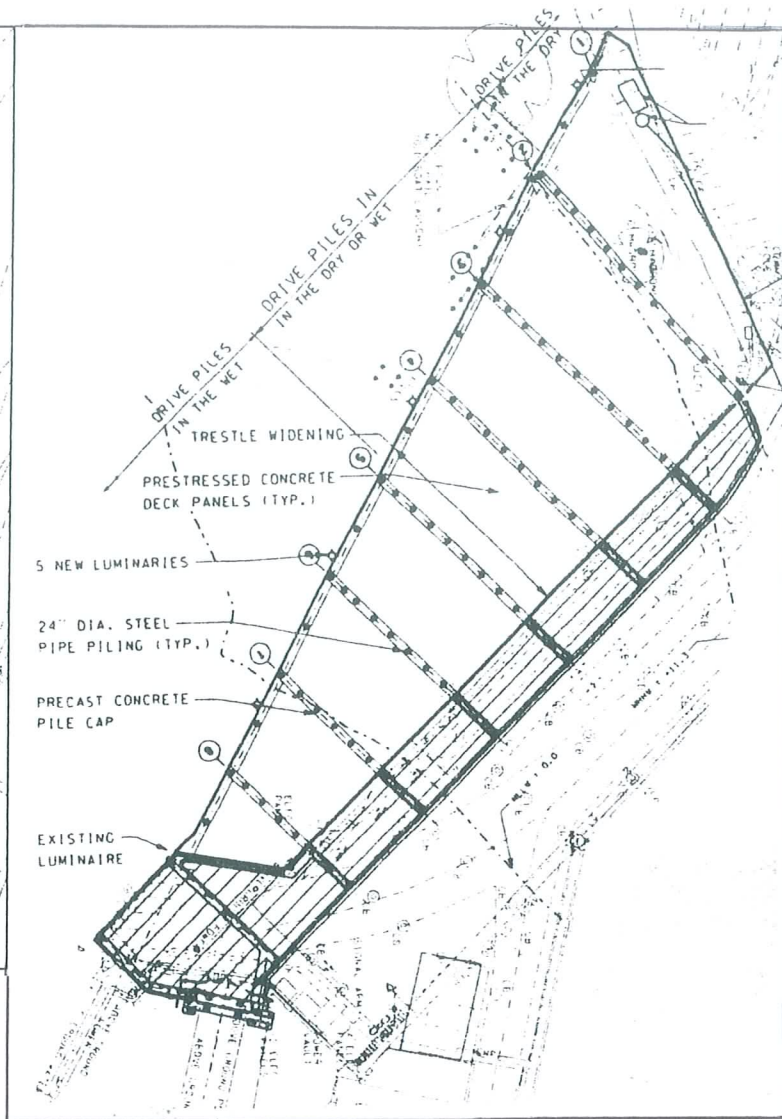
BAINBRIDGE ISLAND FERRY TERMINAL TRESTLE WIDENING

200501182

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 In: Eagle Harbor
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 Page 2 of 5 Date: 1/11/2006



MHHW Detail
See p. 4 of drawings
for Section Views



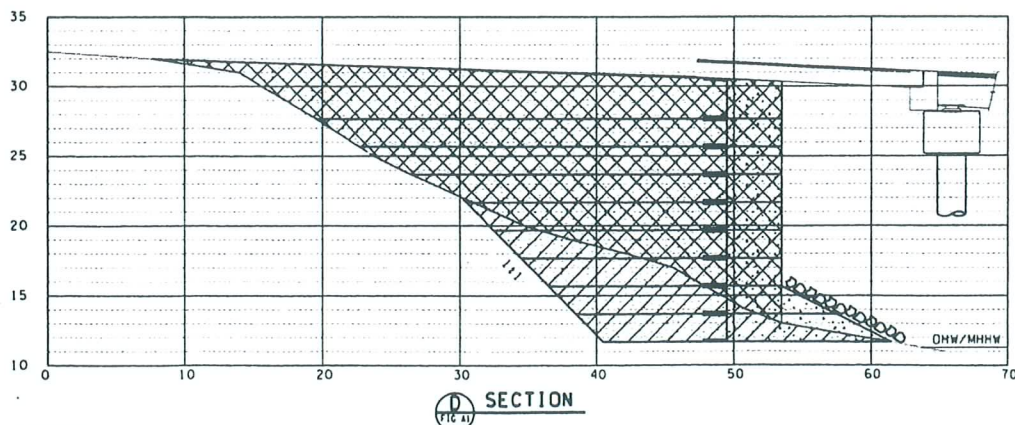
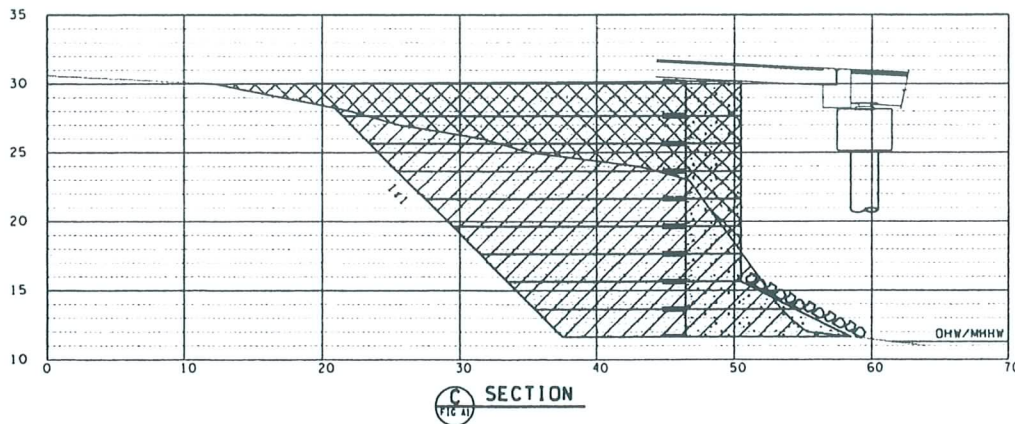
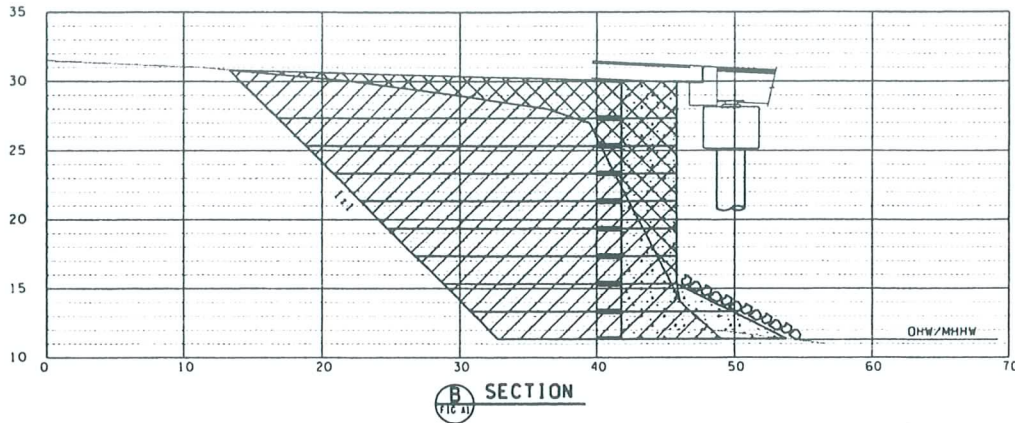
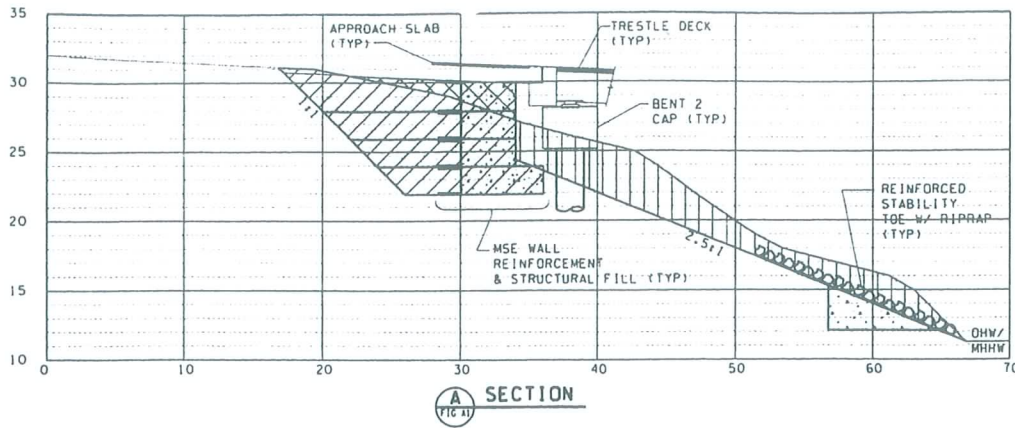
Support Piling Placement Detail

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East- Bainbridge Condo Assn

BAINBRIDGE ISLAND
FERRY TERMINAL
TRESTLE WIDENING

200501182

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Kitsap County, Washington
Applicant: WSDOT/WSF
Page 3 of 5 Date: 1/11/2006



LEGEND:

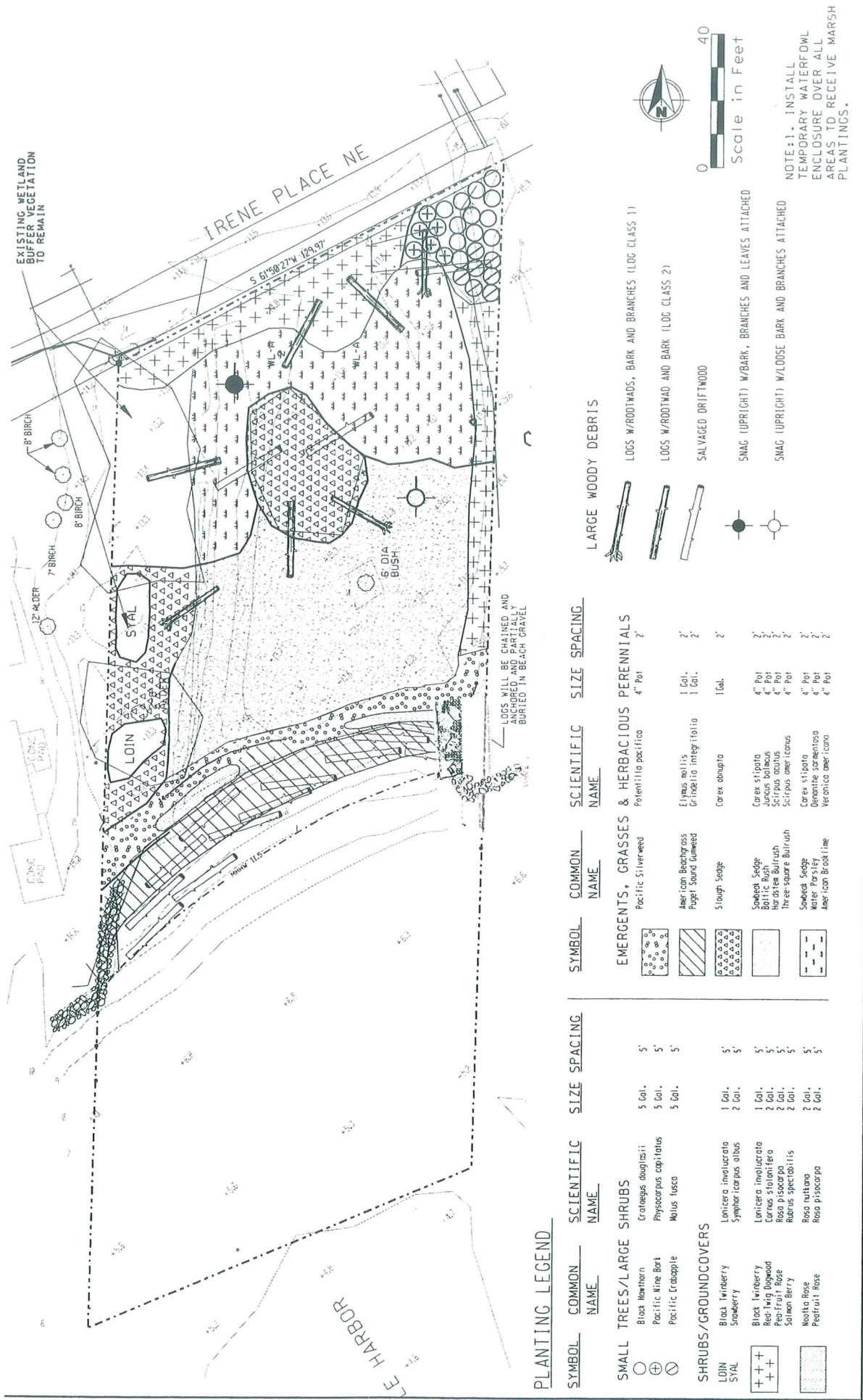
-  OVER-EXCAVATION (REPLACED W/ FILL)
-  FILL (IN EXCESS OF OVER-EXCAVATION)
-  EXCAVATION

Proposed: Construct over-water
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Kitsap County, Washington
Applicant: WSDOT/WSF
Page 4 of 5 Date: 1/11/2006

BAINBRIDGE ISLAND
FERRY TERMINAL
TRESTLE WIDENING

200501182

Purpose: Increase vehicle holding
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East- Bainbridge Condo Assn



PLANTING LEGEND

SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING	SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING
○	Black Thornberry	<i>Cornus douglasii</i>	5 Gal.	5'	●	EMERGENTS, GRASSES & HERBACIOUS PERENNIALS			
⊕	Pacific Nine Bark	<i>Physocarpus opulifolius</i>	5 Gal.	5'	●	Pacific Silverweed	<i>Potentilla pacifica</i>	4" Pot	2'
⊗	Pacific Crabapple	<i>Malus fusca</i>	5 Gal.	5'	●	American Beechgrass	<i>Elymus mollis</i>	1 Gal.	2'
					●	Puget Sound Gumsed	<i>Grindelia integrifolia</i>	1 Gal.	2'
					●	Slaught Sedge	<i>Carex obnupta</i>	1 Gal.	2'
					●	Sweet Sedge	<i>Carex stigmata</i>	4" Pot	2'
					●	Baltic Rush	<i>Juncus bolacius</i>	4" Pot	2'
					●	Hardstem Bulrush	<i>Scirpus acutus</i>	4" Pot	2'
					●	Three-square Bulrush	<i>Scirpus americanus</i>	4" Pot	2'
					●	Sweet Sedge	<i>Carex stigmata</i>	4" Pot	2'
					●	Water Parsley	<i>Qenettia sargentosa</i>	4" Pot	2'
					●	American Brooklime	<i>Veronica americana</i>	4" Pot	2'
					●				

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BAINBRIDGE ISLAND FERRY TERMINAL TRESTLE WIDENING

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In: Eagle Harbor

At: Bainbridge Island

Kitsap County, Washington

Applicant: WSDOT/WSF

Page 5 of 5 Date: 1/11/2006



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: January 27, 2006

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200501182 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600